

Bill No. SB 1036

Barcode 912624

Proposed Committee Substitute by the Committee on Regulated Industries

1 A bill to be entitled
2 An act relating to the Mobile Home Relocation
3 Corporation; amending s. 723.061, F.S.;
4 providing notice requirements to certain mobile
5 home lot tenants regarding entitlement to
6 compensation from the Florida Mobile Home
7 Relocation Trust Fund; amending s. 723.06116,
8 F.S.; providing for late fees if a mobile home
9 park does not make payments to the Florida
10 Mobile Home Relocation Corporation within the
11 required period; providing for venue for
12 actions to collect payments; amending s.
13 723.0612, F.S.; providing an exception;
14 providing certain periods within which an
15 application for funding for relation expenses
16 must be submitted to the corporation; providing
17 an effective date.

18
19 Be It Enacted by the Legislature of the State of Florida:

20
21 Section 1. Paragraph (d) of subsection (1) of section
22 723.061, Florida Statutes, is amended to read:

23 723.061 Eviction; grounds, proceedings.--

24 (1) A mobile home park owner may evict a mobile home
25 owner, a mobile home tenant, a mobile home occupant, or a
26 mobile home only on one or more of the grounds provided in
27 this section.

28 (d) Change in use of the land comprising the mobile
29 home park, or the portion thereof from which mobile homes are
30 to be evicted, from mobile home lot rentals to some other use,
31 provided all tenants affected are given at least 6 months'

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1 notice of the projected change of use and of their need to
2 secure other accommodations. The notice shall include in a
3 font no smaller than the font in the body of the notice: YOU
4 MAY BE ENTITLED TO COMPENSATION FROM THE FLORIDA MOBILE HOME
5 RELOCATION TRUST FUND, ADMINISTERED BY THE FLORIDA MOBILE HOME
6 RELOCATION CORPORATION (FMHRC); FMHRC CONTACT INFORMATION IS
7 AVAILABLE FROM THE FLORIDA DEPARTMENT OF BUSINESS AND
8 PROFESSIONAL REGULATION. The park owner may not give a notice
9 of increase in lot rental amount within 90 days before giving
10 notice of a change in use.

11 Section 2. Subsection (1) of section 723.06116,
12 Florida Statutes, is amended and a new subsection (4) is added
13 to that section to read:

14 723.06116 Payments to the Florida Mobile Home
15 Relocation Corporation.--

16 (1) If a mobile home owner is required to move due to
17 a change in use of the land comprising a mobile home park as
18 set forth in s. 723.061(1)(d), the mobile home park owner
19 shall, upon such change in use, pay to the Florida Mobile Home
20 Relocation Corporation for deposit in the Florida Mobile Home
21 Relocation Trust Fund \$2,750 for each single-section mobile
22 home and \$3,750 for each multisection mobile home for which a
23 mobile home owner has made application for payment of moving
24 expenses. The mobile home park shall make the payments
25 required by this section and by s. 723.0612(7) to the
26 corporation within 30 days after receipt from the corporation
27 of the invoice for payment. If any such payment is:

28 (a) Not submitted within 30 days after receipt of the
29 invoice, the mobile home park shall also pay an additional
30 10-percent late fee.

31 (b) Not submitted within 60 days after receipt of the

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1 invoice, the mobile home park shall also pay an additional
2 15-percent late fee.

3 (c) Not submitted within 90 days after receipt of the
4 invoice, the mobile home park shall also pay an additional
5 20-percent late fee.

6 (d) Received 120 days after receipt of the invoice,
7 the mobile home park shall also pay an additional 25-percent
8 late fee.

9 (4) In any action brought by the corporation to
10 collect payments assessed under this chapter the corporation
11 may file and maintain such action in Leon County. If the
12 corporation is a party in any other action, venue for such
13 action shall be in Leon County.

14 Section 3. Subsection (9) of section 723.0612, Florida
15 Statutes, is amended, and subsection (12) is added to that
16 section, to read:

17 723.0612 Change in use; relocation expenses; payments
18 by park owner.--

19 (9) Any person whose application for funding pursuant
20 to subsection (1) or subsection (7) is approved for payment by
21 the corporation ~~is~~ ~~shall be~~ barred from asserting any claim or
22 cause of action under this chapter directly relating to or
23 arising out of the change in use of the mobile home park
24 against the corporation, the park owner, or the park owner's
25 successors in interest. The corporation may not approve an ~~No~~
26 application for funding under ~~pursuant to~~ subsection (1) or
27 subsection (7) ~~shall be approved by the corporation~~ if the
28 applicant has ~~either~~ filed a claim or cause of action, is
29 actively pursuing a claim or cause of action, has settled a
30 claim or cause of action, or has a judgment against the
31 corporation, the park owner, or the park owner's successors in

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1 interest under this chapter directly relating to or arising
2 out of the change in use of the mobile home park, unless such
3 claim or cause of action is dismissed with prejudice.

4 (12) An application to the corporation for
5 compensation under subsection (1) or subsection (7) must be
6 received by the corporation within 1 year after the expiration
7 of the eviction period as established in the notice required
8 under s. 723.061(1)(d). If the applicant files a claim or
9 cause of action that disqualifies the applicant under
10 subsection (9) and the claim is subsequently dismissed,
11 application must be received within 6 months following filing
12 of the dismissal with prejudice as required under subsection
13 (9). However, such an applicant must apply within 2 years
14 after the expiration of the eviction period as established in
15 the notice required under s. 723.061(1)(d).

16 Section 4. This act shall take effect upon becoming a
17 law.